

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NORMA ROBINSON and	:	
NORMANZ ROBINSON,	:	
Individually and on behalf of others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:14-CV-1467-LMM
TOMY GROUP ATLANTA, LLC,	:	
and TAMER NABIL,	:	
	:	
Defendants.	:	

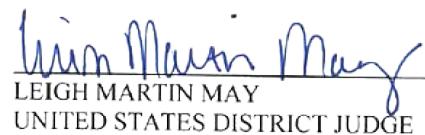
ORDER

This matter is before the Court on Plaintiffs' Motion to Strike [9] Defendants' Motion to Dismiss [8]. On August 19, 2014, Plaintiffs filed Motion for Clerk's Entry of Default [7]. The Clerk of Court entered Default as to both Defendants on August 20, 2014. Defendant Tamer Nabil filed a Motion to Dismiss [8] on November 17, 2014, purporting to represent both himself and Defendant Tomy Group Atlanta, LLC. On December 22, 2014, this Court entered an Order [12] directing Defendant Tomy Group Atlanta, LLC to notify the Court within twenty-one (21) days of the appointment of counsel. Defendants failed to file any response. Similarly, Defendant Tamer Nabil has failed to file a motion to cure his default status. After reviewing Plaintiffs' Motion to Strike [9], it appears that Plaintiffs are entitled to the relief sought. Defendants have not moved to

remove their default status and cannot file a motion to dismiss while still in default.

It is therefore **ORDERED** that Plaintiffs' Motion to Strike Defendants' Motion to Dismiss [9] is **GRANTED**. Therefore, Defendants' Motion to Dismiss [8] is hereby **STRICKEN**.

IT IS SO ORDERED this 28th day of January, 2015.



Leigh Martin May
UNITED STATES DISTRICT JUDGE